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09/972,806	10/05/2001	Jakob Ehrensvard	STOCP0119USA	6769

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EXAMINER	
CHOUDHURY, AZIZUL Q	
ART UNIT	**PAPER NUMBER**
2145	

DATE MAILED: 10/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/972,806	EHRENSVARD, JAKOB	
	Examiner	Art Unit	
	Azizul Choudhury	2145	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *05 October 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-44* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-44* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *05 October 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Detailed Action

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 19 and 38 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. "Credit card" is not a definite shape and lacks definite dimensions by which to deduce a proper comparison with. The term "token" is indefinite, and fails to provide readers with an accurate design by which to deduce a proper comparison with. Appropriate corrections are required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000.

Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-44 are rejected under 35 U.S.C. 102(e) as being anticipated by Outslay et al (US Pat No: US006937140B1), hereafter referred to as Outslay.

1. With regards to claims 1 and 20, Outslay teaches a navigation device for automatically navigating to at least one application in a software environment, comprising: a memory device for storing at least one preprogrammed identifier, each identifier being uniquely associated with an application; interface coupling circuitry adapted to transmit information; and a processor for automatically accessing the application associated with a selected preprogrammed identifier from the identifiers stored in said memory device, said identifiers being universally selectable via more than one terminal (Outslay teaches a design for a PDA key. The design features PDAs that possess processors (column 2, lines 20-22, Outslay) and inherently possess memory (since data is downloaded and used, it must be stored). The PDA automatically loads a user interface (Figure 11, Outslay) when it is attached to one of a plurality of Key Boxes (Figure 4, Outslay). In addition, another user interface is loaded (Figures 7 & 8, Outslay) when the PDA is attached to a "nest" (column 2, lines 24-43, Outslay)).

2. With regards to claims 2 and 21, Outslay teaches the navigation device, wherein the software environment is a network (Outslay's design interfaces through a network such as the Internet (column 2, lines 24-43, Outslay)).

3. With regards to claims 3 and 22, Outslay teaches the navigation device wherein the network is one of the Internet, the world wide web, an Intranet, a local area network, a wide area network, and a wireless network (Outslay's design interfaces through a network such as the Internet (column 2, lines 24-43, Outslay)).

4. With regards to claims 4 and 23, Outslay teaches the navigation device wherein the application is one of an Internet browser, file system driver, object, document, personal folder, and personal file (In Outslay's design, the PDA automatically loads a user interface (Figure 11, Outslay) when it is attached to one of a plurality of Key Boxes (Figure 4, Outslay). In addition, another user interface is loaded (Figures 7 & 8, Outslay) when the PDA is attached to a "nest" (column 2, lines 24-43, Outslay)).

5. With regards to claims 5 and 24, Outslay teaches the navigation device wherein the application is a an Internet browser and the identifier is a universal resource locator (In Outslay's design, the PDA automatically loads a user interface (Figure 11, Outslay) when it is attached to one of a plurality of Key Boxes (Figure 4,

Outslay). In addition, another user interface is loaded (Figures 7 & 8, Outslay) when the PDA is attached to a "nest" (column 2, lines 24-43, Outslay). Outslay's design interfaces through a network such as the Internet (column 2, lines 24-43, Outslay). It is thus inherent that a URL is applied).

6. With regards to claims 6, 25 and 41, Outslay teaches the navigation device wherein a plurality of preprogrammed identifiers are stored in said memory device, one of the stored preprogrammed identifiers being automatically selected by said processor based on a condition of one of a product and the product's packaging (In Outslay's design, the PDA automatically loads a user interface (Figure 11, Outslay) when it is attached to one of a plurality of Key Boxes (Figure 4, Outslay). In addition, another user interface is loaded (Figures 7 & 8, Outslay) when the PDA is attached to a "nest" (column 2, lines 24-43, Outslay)).

7. With regards to claims 7 and 26, Outslay teaches the navigation device wherein the condition is one of a physical state of a product and the product's packaging (In Outslay's design, the PDA automatically loads a user interface (Figure 11, Outslay) when it is attached to one of a plurality of Key Boxes (Figure 4, Outslay). In addition, another user interface is loaded (Figures 7 & 8, Outslay) when the PDA is attached to a "nest" (column 2, lines 24-43, Outslay). The attaching is a physical state).

8. With regards to claims 8 and 27, Outslay teaches the navigation device wherein the physical state of the product is one of opened and closed (In Outslay's design, the PDA automatically loads a user interface (Figure 11, Outslay) when it is attached to one of a plurality of Key Boxes (Figure 4, Outslay). In addition, another user interface is loaded (Figures 7 & 8, Outslay) when the PDA is attached to a "nest" (column 2, lines 24-43, Outslay). When the PDA is attached, it is opened, when it is detached, it is closed).

9. With regards to claims 9 and 28, Outslay teaches the navigation device wherein the physical state of the product is one of "tampered", "physically damaged", "tilted", and "storage temperature exceeding acceptable range" (In Outslay's design, the PDA automatically loads a user interface (Figure 11, Outslay) when it is attached to one of a plurality of Key Boxes (Figure 4, Outslay). In addition, another user interface is loaded (Figures 7 & 8, Outslay) when the PDA is attached to a "nest" (column 2, lines 24-43, Outslay). The attaching is a physical state).

10. With regards to claims 10 and 29, Outslay teaches the navigation device wherein the physical state of the product is one of "present" and "removed" (In Outslay's design, the PDA automatically loads a user interface (Figure 11, Outslay) when it is attached to one of a plurality of Key Boxes (Figure 4, Outslay). In addition, another user interface is loaded (Figures 7 & 8, Outslay) when the PDA is

attached to a "nest" (column 2, lines 24-43, Outslay). When the PDA is attached, it is present, when it is detached, it is removed).

11. With regards to claims 11 and 30, Outslay teaches the navigation device further comprising a detector for detecting the condition (In Outslay's design, the PDA automatically loads a user interface (Figure 11, Outslay) when it is attached to one of a plurality of Key Boxes (Figure 4, Outslay). In addition, another user interface is loaded (Figures 7 & 8, Outslay) when the PDA is attached to a "nest" (column 2, lines 24-43, Outslay). When the PDA is attached, it is opened, when it is detached, it is closed. Since the PDA invokes different user interfaces for different attachments (conditions), it is inherent that the design comprises detectors for detecting the condition).

12. With regards to claims 12 and 31, Outslay teaches the navigation device wherein said detector detects a change in conductivity between electrical conductors (In Outslay's design, the PDA automatically loads a user interface (Figure 11, Outslay) when it is attached to one of a plurality of Key Boxes (Figure 4, Outslay). In addition, another user interface is loaded (Figures 7 & 8, Outslay) when the PDA is attached to a "nest" (column 2, lines 24-43, Outslay). When the PDA is attached, it is opened, when it is detached, it is closed. The PDA features electrical terminals with which to transfer data with (column 2, lines 9-12, Outslay)).

13. With regards to claims 13 and 32, Outslay teaches the navigation device further comprising an input device for receiving a user's input of an associated preprogrammed identifier, said processor automatically accessing an application and the associated preprogrammed identifier entered by the user (In Outslay's design, the PDA automatically loads a user interface (Figure 11, Outslay) when it is attached to one of a plurality of Key Boxes (Figure 4, Outslay). In addition, another user interface is loaded (Figures 7 & 8, Outslay) when the PDA is attached to a "nest" (column 2, lines 24-43, Outslay)).

14. With regards to claims 14, 33, 43 and 44, Outslay teaches the navigation device wherein said input device comprises one of a keyboard, a key pad, an individual key, a touch so screen display device, and a voice activated input device (Outslay's design features a PDA enabling a touch screen (column 1, lines 60-61, Outslay)).

15. With regards to claims 15, 34 and 42, Outslay teaches the navigation device wherein the preprogrammed identifiers stored in said memory device correspond to one of favorite Universal Resource Locator addresses, favorite folders, and favorite files (In Outslay's design, the PDA automatically loads a user interface (Figure 11, Outslay) when it is attached to one of a plurality of Key Boxes (Figure 4, Outslay). In addition, another user interface is loaded (Figures 7 & 8, Outslay)

when the PDA is attached to a "nest" (column 2, lines 24-43, Outslay). Since user interfaces are loaded, it is inherent that files and folders are accessed. In addition, Outslay's design interfaces through a network such as the Internet (column 2, lines 24-43, Outslay). It is thus inherent that a URL is applied).

16. With regards to claims 16 and 35, Outslay teaches the navigation device wherein said input device is used to select and retrieve one of the stored favorite Universal Resource Locator addresses, favorite folders, and favorite files, from said memory device (In Outslay's design, the PDA automatically loads a user interface (Figure 11, Outslay) when it is attached to one of a plurality of Key Boxes (Figure 4, Outslay). In addition, another user interface is loaded (Figures 7 & 8, Outslay) when the PDA is attached to a "nest" (column 2, lines 24-43, Outslay). Since user interfaces are loaded, it is inherent that files and folders are accessed. In addition, Outslay's design interfaces through a network such as the Internet (column 2, lines 24-43, Outslay). It is thus inherent that a URL is applied).

17. With regards to claims 17, 36 and 40, Outslay teaches the navigation device said device being integral with one of a product and the product's packaging (The PDA of Outslay's device is integral for the Key Box to function (Figure 4, Outslay)).

18. With regards to claims 18 and 37, Outslay teaches the navigation device forming a component of one of a product and the product's packaging (The PDA of Outslay's device is one of the pieces of the design, the Key Box, PC and other features (such as the "nest") are each a component of the design product (Figure 4, Outslay)).

19. With regards to claims 19 and 38, Outslay teaches the navigation device wherein the navigation device is in the shape of one of a credit card and a token (Outslay's design is a PDA that is rectangular in shape, as is a credit card).

20. With regards to claim 39, Outslay teaches a method for using a navigation device to automatically navigate to at least one application in a software environment, comprising the steps of: positioning the navigation device proximate an interface; automatically retrieving a selected identifier from at least one preprogrammed identifier stored in a memory device of the navigation device; and automatically accessing an application associated with the selected preprogrammed identifier from the identifiers stored in said memory device, said identifiers being universally selectable via more than one terminal (Outslay teaches a design for a PDA key. The design features PDAs that possess processors (column 2, lines 20-22, Outslay) and inherently possess memory (since data is downloaded and used, it must be stored). The PDA automatically loads a user interface (Figure 11, Outslay) when it is attached to one of a plurality

of Key Boxes (Figure 4, Outslay). In addition, another user interface is loaded (Figures 7 & 8, Outslay) when the PDA is attached to a "nest" (column 2, lines 24-43, Outslay)).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Azizul Choudhury whose telephone number is (571) 272-3909. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (571) 272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AC

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